

PRISONER'S CIVIL RIGHTS COMPLAINT
 IN THE UNITED STATES DISTRICT COURTS
 FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NOV 23 2020

David J. Bradley, Clerk of Court

ROY EARL BROWN #776465
 PLAINTIFF'S

-VS-

CASE NO. _____
 (COURT ASSIGN)

TDCJ: EXECUTIVE DIRECTOR: BRIAN COLLIER, WARDEN: DANIEL D. DICKERSON,
 WARDEN: TIMOTHY R. FITZPATRICK, MAJOR: CALER M. BRUMLEY, CAPTAIN:
 JOHN M. HASTING, CAPTAIN: ANITA L. ANDERSON, Lieutenant: BRENDA
 R. PHILLIPS, Lieutenant: NICHOLS A. FERGUSON, SERGEANT: SOLOMON T. ODDI,
 SERGEANT: VANDELL DAWSON, SERGEANT: SKYLAR A. DOLPHIN, SERGEANT: PAUL
 G. LISNERDS, SERGEANT: BENSON, STG: SERGEANT: FORREST H. GOODMAN, STG:
 JESUS OR JAVIER F. SEDUI AND U.C.C. CHAIRPERSON: MRS. M. ADDNIS

-VS-

UTMB MEDICAL SERVICES: R.N. MRS. MONICA D. FLEWELLING, R.N. MRS. KELLY OR
 KENT, PSYCHOLOGIST OR MENTAL HEALTH CASE WORKER'S: MRS. WERNER, MRS.
 MYERS, MRS. WILLIAMS AND MR. VILLERNEZ

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW DEFENDANT ROY EARL BROWN, herein referred to as
 Plaintiff and brings this Civil Action Under 42 U.S.C. § 1983, 42 U.S.C. § 1985
 (3), 42 U.S.C. § 1986 AND 42 U.S.C. § 1988 AND 18 U.S.C. 241 & 242 THE CRIMINAL
 COUNTERPART OF 1983 For the Conspiracy to Violate his First Amendment
 SUBSTANTIVE DUE PROCESS, EIGHT AND FOURTEENTH RIGHTS OF THE UNITED STATES
 CONSTITUTION'S. PURSUANT TO Civil Practice & Remedies Codes ("CPRC") §§
 134.001, et seq., Files his Original Complaint and Suit For these Violations.

I.

DISCOVERY

1. PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 8(a) and 9(a).
 These PLEADING PROVISIONS WILL SHOW THAT ALL these Defendants Acted

Under Colors of STATE LAW when that Violated his United State Consti-
tution's UNDER 42 U.S.C. & 1983 FOR which he is Entitled to Seek Relief
and Redress FOR the deprivation thereof. AUTHORIZED by ALL the Above Cause
of Actions.

II.

JURISDICTION

2. THIS is a "CIVIL RIGHTS ACTION" UNDER 42 U.S.C. & 1983 42 U.S.C. &
1985(3), 42 U.S.C. 1986, 42 U.S.C. & 1988 AND 18 U.S.C. & 241 & 242. WHEREAS
this COURT Retains (Jurisdiction) OVER both "Parties" and the "SUBJECT
MATTER" PURSUANT to 28 U.S.C. & 1331 and 1341. PLAINTIFF ALSO "EXPRESSLY"
(INVOKES) the Pendent Jurisdiction OF this HONORABLE COURT.

III.

VENUE

3. THE United STATE DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS,
HOUSTON DIVISION IS AN APPROPRIATE VENUE UNDER 28 U.S.C. SECTION 1391
(b)(2) OR "LPRC" & 15.019. CIVIL PRACTICE & Remedies because IT is where the
events Giving Rise to this CLAIM OCCURED OR the Area the Unit was heW-
as housed ON. Pursuant to 18 U.S.C. ANN. 401(1)(2)(3) Power OF COURT 18
U.S.C. & 3041 Consent to Proceed before a MAGISTRATE JUDGE 28 U.S.C. 636(c).

IV.

SUMMARY OF CASE

4. PLAINTIFF asserts that the defendants INDIVIDUALLY, OFFICIALLY,
MUNICIPALLY AND in Joint Combination have through Violation OF his FIR-
ST, EIGHT AND FOURTEENTH AMENDMENT DEPRIVED him OF his United STATE
CONSTITUTIONAL Rights. IN which he have a LEGITIMATE ENTITLEMENT TOO
KNOWINGLY, INTENTIONALLY AND RECKLESSLY FOR the SOLE Purpose to Cause
him harm. BY deliberately disregarding their own clearly established wri-
tten Policies And Procedures that is Govern by Federal And STATE LAW. THERE-
PLAINTIFF is Seeking Relief and Redress Under 42 U.S.C. & 1983, 42 U.S.C. & 1985
(3), 42 U.S.C. & 1986, 42 U.S.C. & 1988 and 18 U.S.C. 241 & 242 FOR the Deliberate
Indifferent STANDARDS VIOLATION OF AN ADA (AMERICAN with Disability Act)
FROM UTMB Medical And MENTAL HEALTH SERVICE STAFF AND TOCT OFFICIAL'S
FOR Failing to Protect me From a HEALTH and Safety Risk. Reckless disregard,
GROSS NEGLIGENCE, CRUEL AND UNUSUAL Punishment AND CONSPIRACY that CLEARLY

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VIOLATED MY DUE PROCESS RIGHTS THAT STATE "NO PRISONER SHALL BE DEPRIVED
OF LIFE, LIBERTY NOR PROPERTY, WHICH CAUSED ME MENTAL, EMOTIONAL, PHYSICAL AND
PSYCHOLOGICAL PAIN, HARSHIPS OF STRESS, ANXIETY, FEAR, DEPRESSION AND DETERIO-
RATION AND DISCOMFORT'S. PLAINTIFF WILL SHOW IN HIS CIVIL CLAIM (1) HE
WAS INCARCERATED UNDER CONDITIONS POSING A SUBSTANTIAL RISK OF SERIOUS
HARM (2) THE NAMED OFFICIALS WAS DELIBERATELY INDIFFERENT TO THAT SUB-
STANTIAL HEALTH AND SAFETY RISK. (3) THE OFFICIALS DELIBERATE INDIFFERENCE
CAUSED HIM HARM AND WAS A CONSPIRACY AND (4) HE WAS ADA (AN AMERICAN
WITH DISABILITY) WHEN THE HARM OCCURED.

II. PARTIES

5. THE PLAINTIFF, ROY EARL BROWN, TDCJ-ID NO. 776465, 3899 STATE
HWY 98, NEW BOSTON, TEXAS 75570. BROWN IS A STATE PRISONER PROCEEDING
IN PRO-SE FASHION

6. THE DEFENDANTS RESPECTIVELY ARE: (1) TDCJ EXEC. DIR. BRIAN COLLIER,
(2) WARDEN: DANIEL D. DICKERSON, (3) WARDEN: TIMOTHY R. FITZPATRICK, (4) MAT:
CALEB M. BRUMLEY, (5) CAPT: JOHN M. HASTING, (6) CAPT: ANITA L. ANDERSON,
(7) LT: BRENDA R. PHILLIPS, (8) LT: NICHLOS A. FERGUSON, (9) SGT: SOLOMON T.
ODDI, ¹⁰SGT: SKYLAR A. DOLPHIN, ¹¹SGT: RAUL G. CISNEROS (12) SGT. VANDELL DAW-
SON, (13) SGT: BENSON, (14) STG; SGT: FORREST H. GODDMAN, ¹⁵(15) JESUS OR JAVIER
F. SEQUI AND (16) U.C.C. CHAIRPERSON: MRS. M. ADDONIS

7. THE DEFENDANTS RESPECTIVELY ARE: (1) UTMB MEDICAL SERVICES, (2)
R.N. MRS. MONICA D. FLEWELLING (3) R.N. NURSE MRS. KELLY DE KENT, (4) PSYCHO-
LOGIST OR MENTAL HEALTH CASE WORKERS: ¹⁵MRS. WERNER, ¹⁶MRS. WILLIAMS, ¹⁷MRS. M-
YERS AND (8) MR. VILLERNEZ ALL (24) DEFENDANTS WAS WORKING FOR AND EMP-
LOYED BY THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE CORRECTIONAL INSTITUTION
DIVISION AND THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT THE W. "JIM" ESTELLE
HIGHSECURITY UNIT, 264 F.M. 3478, HUNTSVILLE, TEXAS 77320

8. THE DEFENDANTS ARE ALL SUED IN THEIR INDIVIDUAL, OFFICIAL AND MUNI-
CIPAL CAPACITIES. FOR FAILURE TO TRAIN AND SUPERVISE THEIR SUBORDINATES AND ST-
AFF CAN LEAD TO HIGHER OFFICIAL LIABILITY.

9. ON the dates of the incidents giving rise to this suit between December 18, 2019 until MARCH 17th or Feb. 21, 2020 BROWN was a state Prisoner assigned to TDCJ's W. "Jim" ESTELLE Highsecurity Unit. 264 FM 3478, HUNTSVILLE, TEXAS 77320 AS A GS CLOSE CUSTODY STATUS INMATE FOR MEDICAL REASON'S

10. ON the dates of these incidents giving rise to this suit between December 19th until MARCH 17th or Feb 21, 2020 BROWN was a Prisoner and ALL the defendants were employed in both their individual and official capacity. Assigned to work at the W. "Jim" Estelle Highsecurity by TDCJ AND UTMB Medical Services in their respected fields at 264 FM 3478, HUNTSVILLE, TEXAS 77320

11. ON the date 12-19-2019 I Filed AN "DPI" ("Defender Protection INVESTIGATION") REPORT. AFTER I was threaten over the run by several UNKNOWN GANGMEMBER'S. AFTER bringing this to the attention of MAJ: BRUMLEY AND LT. Phillips. I was moved to a restricted housing Area. SEE: STEP 1 and STEP 2 GRIEVANCE NO. 2020052265

12. ON 12-22-19 I was told by SGT. DODI that MY "DPI" will be unsubstantiated. I will be moved either to D-WING OR back to E-WING where MY Life was being threaten. SEE: STEP 1 & 2 GRIEV. NO. 2020055175.

13. ON 12-23-19 I went to Unit Classification Committee ("UCC") and was told by MAJ: BRUMLEY, Lt. Phillips AND MRS. ADDONIS in the presence of MY Psychologist MRS. Williams and other's. "that MY DPI claim was denied." despite it never being Investigated by a Security Threat Group ("STG") OFFicer. When I brought this to the attention of the Committee. STG: STG. GOODMAN was called. I was told by him to "See Can I get names, cells or a note as evidence to help support MY claim." And they will Investigate it. SEE: STEP 1 & 2 GRIEV. NO. 2020055175. I was moved back to E-WING ON 1-2-20 WHERE ANOTHER THREAT WAS Made.

14. ON 1-5-2020 I Received A NOTE SWEEP UNDER MY door by the PORTER THREATEN to KILL OR harm me IF I don't Leave the Unit.

15. ON 1-6-2020 I Filed Another Life Endangerment GRIEVANCE, wrote Unit STG: SGT. GOODMAN OFFICE AND MY Psychologist OFFICE REPORTING these threats. SEE: GRIEVANCE NO. 2020055175.

11b. DN 1-8-2020 THE PSYCHOLOGIST MRS. WISNER CAME TALKED TO ME AND I WAS THEN PULLED OUT MY CELL AND ESCORTED TO THE STB's: OFFICE TO TALK TO SGT. GODDMAN AND CD: STB. MR. SEQUI. WHERE I TURNED OVER THE THREATEN NOTE, FILLED OUT ANOTHER "DPI" REPORT AND WAS PLACED AGAIN UNDER STATUS REVIEW IN RESTRICTED HOUSING.

17. DN 1-10-2020 I WAS CALLED TO ("UCC") AGAIN AND TALKED TO MAJ: BRUMLEY, CAPT: HASTING, LT: PHILLIPS, BOTH STB: OFFICIAL'S GODDMAN AND SEQUI, MRS. ADONIS AND MY PSYCH: MRS. MYERS AND MRS. WERNER. MAJ: BRUMLEY BECAME VERY, VERY BELLIGERENT AND STATED, "HE DON'T CARE ABOUT THE 'NOTE', HE UNSUBSTANTIATING MY CLAIM AND MOVING ME BACK TO E-WING" WHERE MY LIFE WAS BEING THREATEN.

When I tried to Protest this decision PeaceFULLY AND ASKED FOR A VIDEO CAMERA TO RECORD THE DANGER I WAS BEING PLACED BACK IN. I WAS SLAMMED TO THE FLOOR, HAD STB's GOODMAN, SEQUI, SGT: LISCENEAS, SGT. DAWSON AND MAJ: BRUMLEY RETALIATE AGAINST ME BY GOING OFFICE INTO MY CELL AND TAKING ALL MY PERSONAL PROPERTY, STATE ISSUED PROPERTY AND PERSONAL APPLIANCE'S AND LEAVING WITHOUT NOTHING BUT THE CLOTHS I HAD ON FOR APPROXIMATELY (8 DAYS).

18. DN 1-14-2020 I WAS ORDERED MOVED BACK TO E-WING 104 CELL BY THE ADMINISTRATION AND MAJ: BRUMLEY AND PLACED OFF INTO A CELL WITH A REGISTERED GANGMEMBER. I IMMEDIATELY FILED AND FORWARDED A COMPLAINT TO THE EXECUTIVE DIRECTOR: B. COLLIER REPORTING THIS SITUATION.

19. DN 1-29-2020 (15 DAYS) LATER I WAS CALLED TO CAPT: HASTING OFFICE AS A RESULT OF MY COMPLAINT TO THE EXEC. DIR. AT APPROX. 3:48 PM. I WAS TOLD BY CAPT: HASTING IN THE PRESENCE OF SGT. SKYLAR DULPIN AND MY ESCORTING CD'S RADFORD. THAT, "HE WAS INVESTIGATING A COMPLAINT FOR WARDEN: FITZPATRICK FOR THE EXEC. DIR. B. COLLIER. ASKED, "DID I FILE THE COMPLAINT AND DID I HAVE ANY ADDITIONAL EVIDENCE OR ANYONE ELSE TO HELP SUBSTANTIATE MY CLAIM?" I TOLD HIM, "YES?" AND GAVE HIM THE NAME OF AN OFFENDER WHO KNEW ABOUT THE THREAT ON MY LIFE AND WAS WILLING TO COME FORWARD OFF THE RECORD'S. CAPT: HASTING SAID, "HE WOULD CALL HIM OUT AND GET A STATEMENT, BUT NEVER DID. WHICH MEANS HE HAD TO FABRICATE HIS RETURNED INVESTIGATIVE REPORT TO COVER UP THE THREAT ON MY LIFE. SEE: GRIEV. NO. 2020071446.

20. DN 2-12-2020 I WAS STABBED SEVERAL TIMES BY MY GANG AFFILIATED CELLMATE AS A RESULT OF THIS HIT AND CONFLICT. SEE: GRIEV. NO. 2020058678.

21. DN 2-13-2020 I REPORTED THIS STABBING TO MEDICAL NURSE KELLY OR KENT ON MEDICAL ROUNDS IN THE PRESENCE OF ESCORTING CO'S LLAMAS AND MACKLEVERGE WHO NICKNAME IS (TOM BRADY) AND WAS TOLD BY THE NURSE IF MY LUNGS WAS COLLAPSING THEN I WOULDN'T BE STANDING THERE TALKING TO HER. I THEN WROTE SEVERAL SICKS REPORTING MY INJURIES AND ANOTHER COMPLAINT TO THE EXEC. DIR. AND INMATE REQUEST TO UNIT WARDEN'S: FITZPATRICK AND DICKERSON. SEE: GRIEVANCE NO. 2020078095.

22. DN 2-18-2020 I WAS ESCORTED TO MEDICAL BY ESCORTING OFFICER MRS. JOHNSON AS A RESULT OF MY SICK CALL'S. WHERE I WAS FINALLY SEEN BY MEDICAL HAD RANKING OFFICIAL'S CALLED. PHOTOS TOOK OF MY WOUNDS BY SGT. CISNEROS AND TREATED BY R.N. FLEWELLING IN THE PRESENCE OF STG'S: SGT. GOODMAN, SGT. DAWSON, SGT. BENSON, CO'S: MARCUS A. SAM, COREY A. SIMMONS. MY ESCORTING OFFICER AND MOVED AGAIN TO A RESTRICTED HOUSING CELL UNDER "DPI" STATUS.

23. DN 2-19-20 STG: SGT. GOODMAN CAME AND GAVE ME A "DPI" REPORT TO FILE OUT, TOOK THE KNIFE AND BLOODY CLOTHS I HAD MANAGED TO GET AND KEEP AFTER THE ASSAULT.

24. DN 2-19-20 LATER THAT EVENING SGT. BENSON (WHO FIRST NAME IS UNKNOWN TO ME WHO HAD JUST MADE SGT AND WHO FATHER IS A MAJOR RANKING OFFICIAL) CAME TO MY CELL AND ASKED ME, "WHAT WAS MY STATEMENT ON A FABRICATED CASE WROTE ON ME BY STG: SGT. GOODMAN FOR POSSESSION OF A WEAPON INSPITE HIM KNOWING IT WAS THE WEAPON USED TO ASSAULT ME.

25. DN 2-20-2020 I WAS ONCE AGAIN CALLED TO ("UCC") WHERE MAJ: BRUMLEY, CAPT: HASTING, LT. PHILLIPS, STG: SGT. GOODMAN, MRS. AODONIS, PSYCHS: MRS. WERNER, MRS. MYERS AND MR. VILLERNEZ WAS ALL PRESENT ALONG WITH MY ESCORTING OFFICER'S SAM, SIMMONS AND BAACON. AS SOON AS WE WALKED IN MAJOR: BRUMLEY STATED, "YOUR 'DPI' IS DENIED. YOU WILL NOT BE PLACED IN PROTECTED CUSTODY NOR TRANSFERRED TO ANOTHER UNIT AND ORDERED THE ESCORTING OFFICER'S TO TAKE ME STRAIGHT BACK TO E-WING WHERE I HAD JUST BEEN STABBED AND NOT TO EVEN LET ME GO BACK TO F-WING AND GET MY PROPERTY LEFT BEHIND.

26. DN 2-20-2020 I TRIED TO PROTEST THIS MOVE BY REFUSING HOUSING AFTER LEAVING ("UCC") AND WAS PLACED IN A HOLDING BOOTH BY SGT. CISNEROS, BASED BY STG: SGT. GOODMAN AND FORCED TO MOVE OFF INTO A RED TAGGED CELL THAT WAS COMPLETELY BURNED UP, FILLED WITH GAS AND FIRE EXTINGUISHED HAZARD CHEMICALS FROM WHERE AN ANOTHER OFFENDER HAD SET THE CELL ON FIRE FROM THE INSIDE WITHOUT ANY CLEANING SUPPLIES NOR MY PROPERTY AND WRITTEN A FABRICATED

This was done in the Presence of CO's Sam and Simmons.

27. ON 2-21-2020 I WAS ESCORTED TO CAPT: ANDERSON OFFICE BY LT. FERGUSON AND TO THE MENTAL HEALTH OFFICE TO TALK TO THEM AFTER PSYCH: MRS. WERNER AND MRS. MYERS CAME TO THE BURNT OUT CELL I WAS HOUSED IN AND TOLD ME THEY HAVING ME ESCORTED TO THEIR OFFICE. THIS WAS AS A RESULT OF ME WRITING THE MENTAL HEALTH LIAISON OFFICE AND REPORTING THE SITUATION. I HAD ALSO FILED ANOTHER COMPLAINT WITH THE EXEC. DIR REPORTING MY STABBING. AND THE MENTAL, EMOTIONAL, PHYSICAL AND PSYCHOLOGICAL PAIN AND HARDSHIP FROM THIS SITUATION. THE FEAR, STRESS, ANXIETY AND DEPRESSION AS A RESULT OF NOONE NOT HELPING ME - AS WELL AS MY THOUGHTS OF SUICIDE AND HOMICIDE.

When I Got to CAPT: ANDERSON OFFICE I WAS TOLD THAT SHE WAS DOING AN INVESTIGATION FOR THE EXEC. DIR. ON BEHALF OF THE WARDEN: FITZPATRICK. I EXPLAINED TO CAPT. ANDERSON IN THE PRESENCE OF LT. FERGUSON AND ANOTHER FEMALE OFFICER SAID TO BE HER PERSONAL ASSISTANCE NAME TIFFANY OR KIMBERLY BENSON OR SHALESTER BACON THE SAME THING I HAD TO EVERYONE ELSE INVOLVED. CAPT. ANDERSON HAD ME FILL OUT ANOTHER "OPI" REPORT, TOLD LT. FERGUSON TO TAKE ME TO THE MEDICAL DEPT. TO GET ANOTHER PHYSICAL, TAKE ME BACK TO MY CELL TO PACK ALL MY PROPERTY AND PLACE ME BACK IN RESTRICTED HOUSING PENDING INVESTIGATION. NURSE: FLEWELLING AGAIN PERFORMED THE PHYSICAL EXAMINATION. AFTER GETTING BACK TO MY CELL PACKING ALL MY PROPERTY AND SAW LT. FERGUSON TO TELL HIM I WAS READY. I WAS TOLD ABOUT 30 MINUTES LATER BY HIM TO NEVER MIND I AM NOT GOING ANY WHERE, BUT WAS STAYING RIGHT THERE ON E-WING WHERE I WAS STABBED AND CONSTANTLY HAVING MY LIFE THREATENING.

28. ON 2-26-2020 I FILED AND MAILED OUT SEVERAL ADMINISTRATIVE LIFE ENDANGERMENT COMPLAINT'S TO SEVERAL OUTSIDE AGENCIES INCLUDING: SENATOR: JOHN WHITMIRE, (2). DEPUTY A.G.: DON CLEMMER, (3). GOV. GREG ABBOT, (4) OFFICE OF INSPECTOR GENERAL, (5). FEDERAL BUREAU OF PRISON, (6) THE LAW OFFICE OF KEVIN STOUWIE: 3238 N.W. LOOP 410, SAN ANTONIO, TX. 8. MY BROTHER WILLARD LEE BROWN #1251292 A LETTER TELLING HIM OF THIS DANGER, MY GOD AUNT MRS. NEWHOUSE AT 8434 FOXWOOD LN. IN DALLAS, TEXAS AND WROTE SEVERAL INMATE REQUEST TO UNIT OFFICIAL'S ASKING FOR HELP AND LETTING THEM KNOW I COULD BE KILLED.

29. ON 2-29-2020 I FILED AND MAILED OUT THE SAME COMPLAINT TO THE FOLLOWING: 1. CHAIRMAN OF THE BOARD OF TACT: MR. DALE WAINWRIGHT, (2). VICTIM SERVICE DIVISION: DIRECTOR: ANGIE MCLOWN AND (3). DIRECTOR OF THE CORRECT-

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TIONAL INSTITUTIONAL Division Director LORRY ADAMS and these Com-
plaint was Filed with Sworn Affidavits between 2-26 and 3-6-2020.

30. DN 3-5-20 Lieutenant YANEZ Come to MY CELL AND Told Me to
Pack ALL MY Property he was Ordered by CAPT: HASTING to Move Me to F-
WING # 209 CELL AND Place Me ONCE Again Under "DPI" status.

31. DN 3-6-2020 CD III MS. ARIANNA M. HULLINS Come and told me
I am wanted and Escorted Me to the CAPTAIN OFFICE. WHEN I Got to CAPTAIN
HASTING OFFICE MY PsYch: MRS. WERNER AND MRS. MYERS was Present. I was
told by CAPT: HASTING That the OBUdSMAN OFFICE sent A COMPLAINT From the
EXECUTIVE Dir. B. CULICER he was Investigating and was shown the Complaint
AND Asked, "did I File it?" I said, "Yes!" Then Asked him, "isn't it A Violation
of Policy for him to be Investigating A Complaint where he is being NAMED
AS one of the People who are CONSPIRING to COVER UP MY "DPI" REPORT AND
TO ALLOW Me to Get hurt or Killed by Gangmember's?" I told CAPTAIN HASTING
this talking to him Create A Conflict of Interest and Terminated the Interview,
Got up and WALKED out. SEE: GRIEV. No. 2020087656 and #2020071446.

32. DN 3-13-2020 SGT. CISNEROS Come to Get Me for A "UCC" HEARING IN
which I refused out of FEAR AND the Control of the hearing by ALL those Involved.

33. DN 3-16-2020 I WAS PULLED out MY CELL AND ESCORTED by STB: SEDU
to see the O.I.G. sent From HUNTSVILLE, TEXAS. who NAME I WAS told was:
MR. JOHN DUGH AND SOME other AGENT From that OFFICE who NAME is didn't get
because he seemed relectant to Give it. THESE AGENTS had A COPY OF ONE OF the
COMPLAINTS I had Filed and told Me it Came From the CHAIRMAN OF THE BOARD
OF TDCT. However they said CHAIRMAN Wainwright had stepped down but the New
CHAIRMAN sent them to Investigate MY COMPLAINT and Asked Me, "what was Going
On?" I EXPLAINED to them everything that has transpired and Led to Me Filing
the Complaint, how ALL the named OFFICIALS WAS CONSPIRING by FALSIFYING Reports,
withholding and destroying Evidence AND is keeping MY Life EndANGERED AND Refuse to
Protect Me From the Gangmembers that have threaten to harm or Kill Me the
First time I Go to Rec. They Assured Me they would Investigate MY Com-
plaint And Left.

34. DN 3-17-2020 I WAS transferred to the BERRY TELFORD Unit where
I ARRIVED 3-18-2020 by SPECIAL CHAIN.

35. ON 3-26-2020 I was pulled out of my cell and escorted to see this REGION/Unit D.I.G. REPRESENTATIVE who said his name was MR. J. BUTLER who tried to Get me to Sign A STATEMENT AGREEING NOT to GO AFTER ALL these OFFICIALS AND MEDICAL PEOPLE INVOLVED.

VII.

LEGAL CLAIMS

36. The Acts and/or Omissions of the Defendants, as described above in PARAGRAPHS NO's. 12 thru 35 resulted in Plaintiff being deprived his FIRST, EIGHT and Fourteenth Amendment which are Guaranteed and Protected by the UNITED STATES CONSTITUTION's. In which in this Authorized assertion of claim all defendants Violated Claimant's Federally Protected RIGHTS and Acted under COLOR OF STATE LAW. BY CLEARLY CONSPIRING to Cover UP Not adhering to Established TDCJ and UTMB STATE Policy, Procedure, Rule and REGULATION that was Implemented by the STATE AND GOVERN BY Federal LAW.

38. FIRST AMENDMENT: RIGHT OF the PEOPLE/PERSON to Peacefully Protest, ASSEMBLE AND PETITION the STATE OR GOVERNMENT FOR REDRESS OF GRIEVANCES, NOT TO SUFFER FROM RETALIATION AND the Substantive Due Process RIGHT TO BE PROTECTED FROM HARM.

39. EIGHT AMENDMENT: RIGHT TO BE Protected From Cruel and Unusual PUNISHMENT, UNNECESSARY AND EXCESSIVE USE OF FORCE AND The Right to Adequate Mental HEALTH TREATMENT UNDER "ADA" ("AMERICA WITH DISABILITY Act")

40. FOURTEENTH AMENDMENT: RIGHTS ARE Protected Under the United STATE CONSTITUTION AGAINST the STATE OF TEXAS AND UTMB JOINT OFFICIAL'S Abuse of POWER. FOR FAILURE to Train, SUPERVISE AND INSTRUCT their subordinates Can Lead to Higher Official Liability. NO Person/^{OR} PRISONER SHALL be deprived of LIFE, Liberty or Property without Due Process of LAW: NOR to deny to Any PERSON within its Jurisdiction and Facilities the equal Protection of these Laws. OFFENDER ROY EARL BROWN, TDCJ-ID #776465 14th Amendment Right was Violated in ALL the ABOVE CLAIMS.

VIII.

RELIEF REQUESTED

41. BROWN/Plaintiff Request that the Defendants be Ordered Liable Under

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42 U.S.C. & 1983 42 U.S.C. & 1986(3) 42 U.S.C. & 1981 42 U.S.C. & 1988 and 18 U.S.C. & 241 & 242 The CRIMINAL COUNTERPART OF 1983 FOR CONSPIRING TO DEPRIVE him OF his CIVIL RIGHTS. PURSUANT TO 28 U.S.C. SECTION 2201 AND 2202 AND 28 U.S.C. SECTION 2283 AND 2284 RULE (65) OF THE FEDERAL RULES OF CIVIL PROCEDURE FOR the DEPRIVATION OF his FIRST, EIGHT AND FOURTEENTH AMENDMENT U.S. CONSTITUTION described in PARAGRAPHS 12 thru 35.

41. PLAINTIFF REQUEST that the Defendants be Ordered to Pay him Compensatory DAMAGES in the AMOUNT OF: \$500,000 THOUSAND DOLLARS For the Pain Suffered From Stab Wounds, UNNECESSARY AND EXCESSIVE USE OF FORCE OF CHEMICAL AGENTS AND ASSAULT USED ON him, FOR HAVING ALL OF his PROPERTY TOOK OUT his CELL FOR (8 days), FOR LIVING in A REG TAGGED CELL FOR (14 days) AND EVERYTHING ELSE.

42. PLAINTIFF REQUEST that the Defendants be Ordered to Pay him Punitive DAMAGES OF: \$1,000,000 MILLION DOLLARS For the Mental, Emotional, Physical, PSYCHOLOGICAL FEAR, depression, stress, ANXIETY, deterioration AND discomfort OF being kept in DANGER FOR (2 1/2 months) before he was stabbed and AFTER he was stabbed, FOR taking ALL his PROPERTY FOR (8 days) and KEEPING him in A CELL REG TAGGED, Burnt, Gassed out and Not Fit For human Living Conditions FOR (14 days) and FOR Not Intervening And Protecting him Under "ADA", GROSS NEGLIGENCE AND THE RECKLESS Disregard OF his HEALTH AND SAFETY Risk.

43. PLAINTIFF REQUEST \$2,000,000 MILLION DOLLARS For the Municipality OF UTMB Medical SERVICES AND TACT FOR Failure to Train, Supervise AND INSTRUCT their subordinates in the UPHELDING OF Policy AND ASSISTANCE OF AN "ADA" ("AMERICAN WITH DISABILITY") OFFENDER in A HEALTH OR SAFETY Risk SUCH AS this that CAUSED him Pain, Suffering AND MONTHS OF AGONY, MENTAL, Emotional, Physical and Psychological.

44. PLAINTIFF REQUEST ANY Additional RELIEF this Court deems Just, Proper AND EQUITABLE: \$ _____ FROM COURT:

45. PLAINTIFF REQUEST NOMINAL DAMAGES: \$ _____ FROM COURT:

46. PLAINTIFF REQUEST Defendants Pay ALL his ATTORNEY FEES, COURT COST AND ANY OTHER FEES OR SERVICES AND CHARGES AS A RESULT OF him having to file this Claim/Suit.

WHEREFORE, PREMISES CONSIDERED, BROWN/PLAINTIFF PRAYS this COURT Find in his FAVOR and Grant him the RELIEF to which he is

RESPECTFULLY SUBMITTED this 20th
DAY OF NOVEMBER, 2020.

s/ Roy E. Brown
ROY E. BROWN #776465
3899 STATE HWY 98 (TELFORD Unit)
NEW BOSTON, TEXAS 75570

VERIFICATION

PER "LPRC" §§ 132.001 - 132.003, I ROY EARL BROWN #776465
being Incarcerated in the Texas Department of Criminal Justice Inst-
itutional Division, at the BERRY TELFORD Unit, 3899 STATE HWY 98,
HUNTSVILLE, TEXAS 75570. DECLARE Under the PENALTY OF PERJURY that
the above and FOREGOING STATEMENTS ARE TRUE AND CORRECT

EXECUTED this 20th day of NOVEMBER 2020

s/ Roy E. Brown
(SIGNATURE OF PLAINTIFF)